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16
17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
19

20 R.A., a minor, by and through his
Guardian, Steve Altes, on behalf of
21 himself and all others similarly situated,
22 Plaintiff,
23 vs.
24 Epic Games, Inc.,
25 Defendant.

CASE NO. 2:19-cv-01488-GW-E

CLASS ACTION

**DECLARATION OF STEVE ALTES
IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S
MOTION TO COMPEL
ARBITRATION OR TRANSFER**

Date: July 11, 2019
Time: 8:30 AM
Crtrm.: 9D

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1 Steve Altes declares under penalty of perjury of the laws of the United States
2 as follows:

3 1. I am the father of R.A. and appointed as Guardian Ad Litem to R.A. in
4 this action. I have personal knowledge of the facts stated herein, and I am otherwise
5 competent to testify. I submit this declaration in support of Plaintiff's Opposition to
6 Defendant's Motion to Compel Arbitration or Transfer.

7 2. I did not download or install Fortnite on R.A.'s computer or create an
8 account with Epic Games, Inc. ("Epic"). I did not ever see, read or agree to Epic's
9 End User License Agreement ("EULA") in October of 2017.

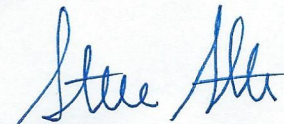
10 3. I did not access R.A.'s Epic account or see, read or agree to Epic's
11 amended EULA in March of 2019 or at any other time.

12 4. I did not give R.A. my permission to click "I Accept" to the 2017 or
13 2019 EULAs.

14 5. To my knowledge, there are no safeguards in place requiring my
15 presence or acceptance of any user terms.

16
17 I declare under penalty of perjury under the laws of the United States that the
18 foregoing is true and correct.

19
20 Executed on June 18, 2019 at Valencia, California.

21
22 

23 Steve Altes